

Section 8.5 Notification of Examination Results and Review of Papers

(a) Each candidate in an examination shall be given written notice of the results thereof, and if successful, of the candidate's final earned score and placement on the employment list.

(b) Any candidate shall have the right to inspect the candidate's own examination paper according to the rules of Human Resources. Any error in computation, if called to the attention of Human Resources within one month after the date of mailing of notices, shall be corrected. Such corrections shall not, however, invalidate appointments previously made.

Section 8.6 Veteran's Preference

Veteran's preference of 5% of the potential total final score shall be allowed all veterans of the U.S. military organizations if the deadline for filing applications is within five calendar years from the date of discharge from active duty, or as required by the state and federal law. The 5% veteran's preference provision shall not apply to promotional examinations.

Section 9. Appointments

Section 9.1 Sources of Appointments to Fill Vacancies

(a) Whenever the City Manager determines that a vacancy in a class described in Appendix "A" of this Memorandum of Understanding is to be filled, it shall be filled by re-employment, transfer, demotion, or from eligibles certified by the City Manager or the Manager's designee from an appropriate employment or promotional list, if available.

(b) Whenever the City Manager determines that a vacancy in a class described in Appendix "A" of this Memorandum of Understanding is to be filled, the City Manager shall determine the availability of employees for re-employment, requests for transfers, or demotion, and of eligibles on employment or promotional lists for the class.

(c) The City Manager shall certify the eligibles available to fill the vacancy by reinstatement, transfer, or demotion, or from a promotional or employment list.

Section 9.2 Order of Certification

Whenever certification is to be made, the employment lists, if any exist, shall be used in the following order: re-employment list, promotional list, open-competitive list. Whenever there are fewer than three names on a promotional list or seven names on an open-competitive list, the City Manager may make an appointment from among such eligibles or may establish a new list.

Section 9.3 Appointment

After interview and investigation, the City Manager shall make appointments from among those certified in accordance with Section 12. The City Manager shall thereupon notify the

person appointed. If the applicant accepts the appointment and presents himself/herself for duty within such period of time as the City Manager shall prescribe, the applicant shall be deemed to be appointed; otherwise, the applicant shall be deemed to have declined the appointment.

Section 9.4 Nepotism

(a) No person may be appointed to a position in a department if a member of the immediate family of such person is employed in the department, if the City Manager determines that (a)(1) for business reasons of supervision, safety, security, it would be inappropriate to place one such person under the direct supervision of the other; and (2) the appointment cannot be made so it would not be necessary that one employee be under the supervision of the other; or (b) the placement of both persons in the department involves potential conflicts of interest greater for persons so related than for nonrelated persons, and that such conflicts cannot be resolved by control of duty assignments. The City Manager shall consult with the Union prior to making any such determination.

(b) If such appointment is made, the employees involved shall be assigned, if possible, so that one is not under the direct supervision of the other, or employed to work in conjunction with the other under ordinary circumstances.

(c) If, due to marriage or otherwise, persons employed in a department become members of an immediate family, the department head shall, to the extent possible, assign such persons to duties in such manner that neither is under the direct supervision of the other, and neither is assigned to work in conjunction with the other under ordinary circumstances.

(d) For purposes of this section, "immediate family" includes father, mother, brother, sister, spouse, domestic partner, child, mother-in-law, mother of domestic partner, father-in-law, father of domestic partner, grandparent, grandchild, great-grandparent, great-grandchild, step-child, child of domestic partner, foster child, and step-parent.

Section 10. Probation Period

Section 10.1 Duration

All original and promotional appointments shall be tentative and subject to a probationary period of not less than six months from the date of probationary appointment or promotion.

An employee who is laid off and subsequently appointed as a result of certification from a general employment eligible list to a position in a different classification than that from which laid off shall undergo the probationary period prescribed for the classification to which appointed. Former probationary employees whose names were placed on a re-employment eligible list before they achieved permanent status shall start a new probationary period when appointed from a re-employment eligible list.

Employees who transfer to another position in the same classification shall not be required